

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD FRANCIS, WESLEY WON,
DENNIS SPEERLY, JOSEPH SIERCIO,
MICHAEL PLAFKER, HOWARD YOUNG,
and DARRIN DEGRAND,

Plaintiffs,

v.

GENERAL MOTORS, LLC,

Defendant.

Case Number 19-11044
Honorable David M. Lawson

ORDER GRANTING
MOTION TO CONSOLIDATE
AND SETTING INITIAL
DEADLINES

KEITH SHELTON, KAREN SHELTON,
DANIEL DRAIN, WEVERS SMITH,
RICHARD FREEMAN, SAMUEL FORD,
KEITH FENSKE, COLTON KELLY,
and CHRISOPHER GILES,

Plaintiffs,

v.

GENERAL MOTORS, LLC,

Defendant.

Case Number 19-11802

LOUIS RAY,

Plaintiff,

v.

GENERAL MOTORS, LLC,

Defendant.

Case Number 19-11808

DENNIS DUFFY, RICHARD SULLIVAN,
DANIEL BAPTIST, DENNIS SPEERLY,
MICHAEL PLAFKER, JOHN IASIELLO,
and BENJI TOMPKINS,

Case Number 19-11875

Plaintiffs,

v.

GENERAL MOTORS, INC.,

Defendant.

MARISELLA GUTIERREZ, JIMMY
HARMAN, MARK KIDD, and JAMES
NORVELL,

Case Number 19-12371

Plaintiffs,

v.

GENERAL MOTORS, LLC,

Defendant.

**ORDER GRANTING MOTION TO CONSOLIDATE AND
SETTING INITIAL DEADLINES**

These related matters are before the Court on a motion to consolidate the cases for pretrial management that jointly was filed by the parties to each of the separate matters. The Court has reviewed the joint motion and heard oral argument on September 11, 2019. Although the motion was not formally joined by the plaintiffs in the *Gutierrez* case, No. 19-12371, counsel for the plaintiffs in that case appeared at the hearing and made an oral motion joining in the relief requested. The Court then announced from the bench its decision to grant the joint motion to consolidate the cases for the purposes of discovery and pretrial case management and scheduling, but not at this time for trial. The Court took under advisement a separate consensus motion by the plaintiffs to appoint a leadership team and steering committee, because no lawyers were identified as nominees to the various leadership positions. The Court directed the plaintiffs promptly to submit a supplement identifying individual nominees for the leadership team. The Court also advised the parties that it would dismiss without prejudice the defendant's motions to dismiss that

recently were filed in the separate matters, because the plaintiffs will be directed to file a consolidated amended master complaint, and the defendant thereafter will be permitted to respond to that complaint by way of a consolidated motion or answer.

Accordingly, it is **ORDERED** that the joint motion to consolidate (No. 19-11044, ECF No. 19) and the oral motion to consolidate by plaintiff Gutierrez (No. 19-12371, ECF No. 18) are **GRANTED**, and the proceedings in Case Numbers 19-11044, 19-11802, 19-11808, 19-11875, and 19-12371 are **CONSOLIDATED** for all pretrial matters.

It is further **ORDERED** that the plaintiffs must file a consolidated amended master complaint comprising the claims of all individual plaintiffs and putative classes **on or before September 30, 2019**. The consolidated pleading shall be filed only under the 19-11044 docket number, and it shall be deemed to relate to all of the consolidated proceedings.

It is further **ORDERED** that the motions to dismiss filed by the defendant in the separate matters (No. 19-11044, ECF No. 12, 31; No. 19-11802, ECF No. 15; No. 19-11808, ECF No. 21; No. 19-11875, ECF No. 15) are **DISMISSED** without prejudice to the filing by the defendant of a single consolidated response to the consolidated amended complaint, either by way of motion or answer, within the appropriate time after the consolidated complaint is served. The defendant need not separately respond to the complaint in the *Gutierrez* case (No. 19-12371).

It is further **ORDERED** that the parties must serve their initial disclosures under Federal Rule of Civil Procedure 26(a)(1) **on or before October 25, 2019**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Date: September 16, 2019

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first-class U.S. mail on September 16, 2019.

s/Susan K. Pinkowski
SUSAN K. PINKOWSKI